

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

In Re:	§	
	§	
Pinto Pony Cookie Factory, LLC	§	Case No. 16-90031
	§	
Debtor	§	

TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter 7 of the United States Bankruptcy Code was filed on 02/04/2016 . The undersigned trustee was appointed on 02/04/2016 .
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$ 95,754.15

Funds were disbursed in the following amounts:

Payments made under an interim disbursement	0.00
Administrative expenses	3,567.17
Bank service fees	1,645.53
Other payments to creditors	0.00
Non-estate funds paid to 3 rd Parties	0.00
Exemptions paid to the debtor	0.00
Other payments to the debtor	0.00

Leaving a balance on hand of¹ \$ 90,541.45

The remaining funds are available for distribution.

¹ The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was 06/29/2016 and the deadline for filing governmental claims was 09/27/2016 . All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ 8,037.71 . To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ 0.00 as interim compensation and now requests a sum of \$ 8,037.71 , for a total compensation of \$ 8,037.71 ². In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ 0.00 , and now requests reimbursement for expenses of \$ 75.90 , for total expenses of \$ 75.90 ².

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 10/22/2018 By: /s/JASON R. SEARCY
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

² If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

**FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES**

Exhibit A

Case No: 16-90031 BP
Case Name: Pinto Pony Cookie Factory, LLC

Judge: Bill Parker

Trustee Name: JASON R. SEARCY

Date Filed (f) or Converted (c): 02/04/2016 (f)

341(a) Meeting Date: 03/18/2016

For Period Ending: 10/22/2018

Claims Bar Date: 06/29/2016

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. Texas Bank Checking Acct #7503	1.00	0.00		0.00	FA
2. Austin Bank Checking Acct. #3686	0.00	0.00		0.00	FA
3. Saleable goods	1,000.00	0.00	OA	0.00	FA
4. Gift Baskets, cookies	8,500.00	0.00	OA	0.00	FA
5. Office equipment, furnishings and supplies	494.00	494.00	OA	0.00	FA
6. Equipment @ 102 E. Columbia, San Augustine, TX	97,195.00	0.00	OA	0.00	FA
7. Equipment @ 114 N Harrison, San Augustine, TX	370,824.00	0.00	OA	0.00	FA
8. Equipment @ 110 N. Harrison, San Augustine, Texas	9,341.00	0.00	OA	0.00	FA
9. Equipment @ 96 Property (20 acres with house	20,550.00	0.00	OA	0.00	FA
10. Equipment - broken	1,500.00	0.00	OA	0.00	FA
11. Equipment at Best Oven, Houston, TX	6,000.00	0.00	OA	0.00	FA
12. 102 E. Columbia St., San Augustine, TX	337,400.00	0.00	OA	0.00	FA
13. 114 N. Harrison, San Augustine, TX	230,000.00	0.00	OA	0.00	FA
14. Hwy 96 Land & House, San Augustine, TX	267,000.00	0.00	OA	0.00	FA
15. 110 N. Harrison, San Augustine, TX	140,000.00	0.00	OA	0.00	FA
16. Internet domain name www.pinto pony.com	Unknown	0.00	OA	0.00	FA
17. Cookie recipe owned by Tom and Samye Johnson	Unknown	0.00	OA	0.00	FA
18. Lincoln National Life Insurance Co-Term Life Policy 2361	1.00	0.00	OA	0.00	FA
19. Lincoln National Life Insurance Co-Term Life Policy 2366	1.00	0.00	OA	0.00	FA
20. Case 916-cv-00149-RC, Searcy vs State Automobile Insurance C	1,000,000.00	0.00		88,571.56	FA
21. Unknown assoc of Mike Jackson has made deal (see notes)	Unknown	0.00		0.00	FA
22. Checks turned over from prior sales (u)	0.00	170.11		170.11	FA
23. Unused proceeds from casualty insurance proceeds (u)	0.00	7,012.48		7,012.48	FA

**FORM 1
INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT
ASSET CASES**

Exhibit A

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Judge: Bill Parker

Trustee Name: JASON R. SEARCY

Date Filed (f) or Converted (c): 02/04/2016 (f)

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For Period Ending: 10/22/2018

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1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Est Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
INT. Interest Income - accounts do not bear interest (u)	0.00	N/A		0.00	FA

			Gross Value of Remaining Assets	
TOTALS (Excluding Unknown Values)	\$2,489,807.00	\$7,676.59	\$95,754.15	\$0.00
			(Total Dollar Amount in Column 6)	

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Objections to claims completed, awaiting orders. Once received, Searcy fee application will be filed.

6-19-17 - Claims review will be necessary and objections will be filed.

4-6-17 -Order Granting Mtn to Approve Compromise Settlement agreement re: Searcy v State Automobile Insurance Co. - Settlement funds have been received.

Exhibit A

RE PROP #	2	--	Account is reflected as overdrawn (\$980.00).
RE PROP #	3	--	8-17-16 - Order Authorizing Abandonment Dkt. #27
RE PROP #	4	--	8-17-16 - Order Authorizing Abandonment Dkt. #27 Perishables - expired
RE PROP #	5	--	8-17-16 - Order Authorizing Abandonment Dkt. #27
RE PROP #	6	--	8-17-16 - Order Authorizing Abandonment Dkt. #27
RE PROP #	7	--	8-17-16 - Order Authorizing Abandonment Dkt. #27
RE PROP #	8	--	8-17-16 - Order Authorizing Abandonment Dkt. #27
RE PROP #	9	--	8-17-16 - Order Authorizing Abandonment Dkt. #27
RE PROP #	10	--	8-17-16 - Order Authorizing Abandonment Dkt. #27
RE PROP #	11	--	8-17-16 - Order Authorizing Abandonment Dkt. #27
RE PROP #	12	--	8-17-16 - Order Authorizing Abandonment Dkt. #27 Tara Smith hired as realtor to sell (936) 671-0200
RE PROP #	13	--	8-17-16 - Order Authorizing Abandonment Dkt. #27 Tara Smith hired as realtor to sell (936) 671-0200
RE PROP #	14	--	8-17-16 - Order Authorizing Abandonment Dkt. #27 Tara Smith hired as realtor to sell (936) 671-0200
RE PROP #	15	--	8-17-16 - Order Authorizing Abandonment Dkt. #27 Tara Smith hired as realtor to sell (936) 671-0200
RE PROP #	16	--	8-17-16 - Order Authorizing Abandonment Dkt. #27
RE PROP #	17	--	8-17-16 - Order Authorizing Abandonment Dkt. #27 Tom and Samye Johnson also own all rights to Pinto Pony logo and Pinto Pony trademark which Debtor has been allowed to use.
RE PROP #	18	--	8-17-16 - Order Authorizing Abandonment Dkt. #27
RE PROP #	19	--	8-17-16 - Order Authorizing Abandonment Dkt. #27
RE PROP #	20	--	U.S. District Court for the EDTX, Lufkin Division Attorney, Jeff Bates in Nacogdoches, TX - Trustee will seek to employ as special counsel. (936) 560-6954; Fax (036) 560-5996, bates@gbhattorneys.com
RE PROP #	21	--	Hwy 96 property abandoned by Order dated 8-17-16. Unknown associate of Mike Jackson has made deal with Mike Jackson to run livestock on the Hwy 96 property. The land belongs to Pinto Pony Cookie Factory, LLC
RE PROP #	22	--	Checks were turned over by Steve Zayler on behalf of Debtor. Checks were written for sales in December 2015 and January 2016.
RE PROP #	23	--	Austin Bank applied the \$11,001.61 of the casualty insurance proceeds to a final payment on the note. Deposit in the unused proceeds payable to the estate.
RE PROP #	9999	--	Estate accounts do not bear interest income

Initial Projected Date of Final Report (TFR): 12/31/2017

Current Projected Date of Final Report (TFR): 12/31/2018

FORM 2
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 16-90031
Case Name: Pinto Pony Cookie Factory, LLC

Trustee Name: JASON R. SEARCY
Bank Name: First National Bank of Vinita
Account Number/CD#: XXXXXX1880
Checking

Exhibit B

Taxpayer ID No: XX-XXX2782
For Period Ending: 10/22/2018

Blanket Bond (per case limit): \$300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
03/31/16	22	Jennie L. Phillips P.O. Box 816 Center, TX 75935	Check turned over from Debtor from prior sales Check turned over by Steve Zayler on behalf of Debtor	1229-000	\$21.08		\$21.08
03/31/16	22	Leslie M. Adkins 634 State Hwy 147 North San Augustine, TX 75972	heck turned over from Debtor from prior sales Check turned over by Steve Zayler on behalf of Debtor	1229-000	\$10.81		\$31.89
03/31/16	22	Johnny & Stacey Garrett P.O. Box 252 San Augustine, TX 75972	heck turned over from Debtor from prior sales Check turned over by Steve Zayler on behalf of Debtor	1229-000	\$10.37		\$42.26
03/31/16	22	Mr. or Mrs. R.N. McEachern 264 FM 2218 P.O. Box 444 San Augustine, TX 75972	heck turned over from Debtor from prior sales Check turned over by Steve Zayler on behalf of Debtor	1229-000	\$76.89		\$119.15
03/31/16	22	Twin Lakes Rehabilitation & Care Center 451 S. El Camino Crossing San Augustine, TX 75972	heck turned over from Debtor from prior sales Check turned over by Steve Zayler on behalf of Debtor	1229-000	\$50.96		\$170.11
05/04/17	20	State Auto Insurance Companies Morgan Insurance Agency, LTD 3708 S. Medford Dr. Lufkin, TX 75901-5752	Searcy v State Auto Adversary Settlement	1149-000	\$88,571.56		\$88,741.67
06/07/17		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$82.08	\$88,659.59
07/10/17		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$91.11	\$88,568.48
08/07/17		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$94.06	\$88,474.42
08/24/17	23	Austin Bank	Unused proceeds for casualty insurance proceeds	1229-000	\$7,012.48		\$95,486.90
09/08/17		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$95.63	\$95,391.27

FORM 2
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 16-90031
Case Name: Pinto Pony Cookie Factory, LLC

Trustee Name: JASON R. SEARCY
Bank Name: First National Bank of Vinita
Account Number/CD#: XXXXXX1880
Checking

Exhibit B

Taxpayer ID No: XX-XXX2782
For Period Ending: 10/22/2018

Blanket Bond (per case limit): \$300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
10/06/17		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$98.03	\$95,293.24
11/07/17		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$101.18	\$95,192.06
12/07/17		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$97.82	\$95,094.24
01/08/18		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$100.98	\$94,993.26
02/07/18		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$100.87	\$94,892.39
03/07/18		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$91.01	\$94,801.38
04/06/18		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$100.66	\$94,700.72
05/07/18		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$97.32	\$94,603.40
06/07/18		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$100.46	\$94,502.94
07/09/18		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$97.11	\$94,405.83
08/07/18		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$100.25	\$94,305.58
09/10/18		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b)(1), and 507(a)(2)	2600-000		\$100.14	\$94,205.44

FORM 2
ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 16-90031
Case Name: Pinto Pony Cookie Factory, LLC

Trustee Name: JASON R. SEARCY
Bank Name: First National Bank of Vinita
Account Number/CD#: XXXXXX1880
Checking

Exhibit B

Taxpayer ID No: XX-XXX2782
For Period Ending: 10/22/2018

Blanket Bond (per case limit): \$300,000.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account/CD Balance (\$)
09/24/18	101	Searcy & Searcy, P.C. P.O. Box 3929 Longview, Texas 75606	Order dated 9-21-18, Dkt. #77 Attorney for Trustee Fees	3110-000		\$2,860.00	\$91,345.44
09/24/18	102	Searcy & Searcy, P.C. P.O. Box 3929 Longview, Texas 75606-3929	Order dated 9-21-18, Dkt. #77 Attorney for Trustee Expenses	3120-000		\$707.17	\$90,638.27
10/05/18		First National Bank of Vinita	Bank Service Fee under 11 U.S.C. § 330(a)(1)(B), 503(b) (1), and 507(a)(2)	2600-000		\$96.82	\$90,541.45

COLUMN TOTALS	\$95,754.15	\$5,212.70
Less: Bank Transfers/CD's	\$0.00	\$0.00
Subtotal	\$95,754.15	\$5,212.70
Less: Payments to Debtors	\$0.00	\$0.00
Net	\$95,754.15	\$5,212.70

Exhibit B

TOTAL OF ALL ACCOUNTS			
	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
XXXXXX1880 - Checking	\$95,754.15	\$5,212.70	\$90,541.45
	\$95,754.15	\$5,212.70	\$90,541.45
	(Excludes account transfers)	(Excludes payments to debtors)	Total Funds on Hand
Total Allocation Receipts:	\$0.00		
Total Net Deposits:	\$95,754.15		
Total Gross Receipts:	\$95,754.15		

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 16-90031

Case Name: Pinto Pony Cookie Factory, LLC

Trustee Name: JASON R. SEARCY

Balance on hand \$ 90,541.45

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payment to Date	Proposed Payment
7	Texas Workforce Commission	\$ 2,495.82	\$ 2,495.82	\$ 0.00	\$ 2,495.82

Total to be paid to secured creditors \$ 2,495.82

Remaining Balance \$ 88,045.63

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: JASON R. SEARCY	\$ 8,037.71	\$ 0.00	\$ 8,037.71
Trustee Expenses: JASON R. SEARCY	\$ 75.90	\$ 0.00	\$ 75.90
Attorney for Trustee Fees: SEARCY & SEARCY	\$ 2,860.00	\$ 2,860.00	\$ 0.00
Attorney for Trustee Expenses: SEARCY & SEARCY	\$ 707.17	\$ 707.17	\$ 0.00

Total to be paid for chapter 7 administrative expenses \$ 8,113.61

Remaining Balance \$ 79,932.02

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ 68,721.39 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
2	Internal Revenue Service	\$ 67,308.85	\$ 0.00	\$ 67,308.85
15	Texas Comptroller Of Public Accounts	\$ 1,412.54	\$ 0.00	\$ 1,412.54

Total to be paid to priority creditors \$ 68,721.39

Remaining Balance \$ 11,210.63

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 437,286.42 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 2.6 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
2A	INTERNAL REVENUE SERVICE	\$ 657.41	\$ 0.00	\$ 16.85
3	La Crosse Milling Company	\$ 2,244.00	\$ 0.00	\$ 57.53
8	Dell Financial Services, LLC	\$ 4,440.57	\$ 0.00	\$ 113.84
9	Harris Leasing Co.	\$ 169,775.34	\$ 0.00	\$ 4,352.50

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
10	Texas Mutual Insurance Co.	\$ 0.00	\$ 0.00	\$ 0.00
13	American Infosource Lp As Agent For	\$ 157.62	\$ 0.00	\$ 4.04
15A	Texas Comptroller Of Public Accounts	\$ 49.37	\$ 0.00	\$ 1.27
16	Michael Jackson	\$ 259,962.11	\$ 0.00	\$ 6,664.60

Total to be paid to timely general unsecured creditors \$ 11,210.63

Remaining Balance \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

NONE

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE